

Threshold Criteria for Hazardous Substances Assessment Grant

A. Applicant Eligibility: The City of Asheville is a General Purpose Unit of Local Government as defined in 40 CFR Part 31. Asheville was incorporated in 1797 and was chartered as a City in . Since Asheville is a General Purpose Unit of Local Government, it is eligible to receive an EPA Brownfields Grant as stated in Section 3 of the Proposal Guidelines for Brownfields Assessment Grants.

B. Community Notification: The targeted community – people throughout the region – was notified of the preparation and submittal of this proposal through print, radio, television, and electronic media. The Asheville City Council approved the submission of this proposal by Land-of-Sky Regional Council (LOSRC) during a public meeting on August 14, 2007. LOSRC staff solicited public input through the press releases and made the grant application available for public review. Following the review period, the public was invited to a public input session at LOSRC offices on October 1, 2007. (see attached press release).

Public comments were solicited through press releases to all local radio, television and print media, website) notices, and in written invitations sent to the Regional Brownfields Advisory Group and the Brownfields Peer Group. In addition to written invitations for public comments, LOSRC reached others through the City Web site (www.ashevillenc.gov) and the LOSRC web page (www.landofsky.org). LOSRC staff accepted all public comments and considered those comments in authoring this proposal.

C. Letter from the State or Tribal Environmental Authority: Please refer to the attached letter from the North Carolina Department of Environment and Natural Resources (NCDENR) Brownfields Program acknowledging the City's plans to conduct environmental assessment activities and submit an application for federal funds.

D. Site Eligibility and Property Ownership Eligibility: The City of Asheville is not identifying specific sites for hazardous substances assessments in this application. **This is a Community Wide Assessment Grant application.** Land-of-Sky Regional Council's Regional Brownfields Initiative (RBI) will manage and administer this grant on behalf of the City. Based on the region's needs, the RBI will identify and perform up to ten (10) Phase I assessments and up to four (4) Phase II assessments with this grant following an application, evaluation, and formal adoption process (see Section C. Site Selection Process). This process, established by the Regional Brownfields Initiative (RBI) prioritizes applicants based on specific criteria. The RBI uses its wide-ranging partnerships in the RBI to identify, prioritize, and assess Brownfields sites, ensuring highest and best use of federal funds throughout the proposed target zone. Based on the approximately 438 sites in the River District, the City will prioritize sites that offer the best opportunities and benefits for the community when redeveloped. The site identification, prioritization and adoption system currently used by the RBI

has proven highly effective; the RBI has successfully adopted and assisted 17 sites using previous EPA Assessment Grants.

A. Assessment Grant Proposal Budget:

Tasks to be performed on hazardous substance sites:

General: Land-of-Sky Regional Council's Regional Brownfields Initiative (RBI) will manage the grant on behalf of the City and will continue to maintain and facilitate a Brownfields Advisory Group that includes local officials, community groups, business owners, regulatory and legal experts to guide the RBI. All written agreements, contracts, and reports will correlate with program objectives and fulfill necessary EPA requirements. The City and RBI will continue to network with other Brownfields programs across the country serving as a national award winning model for regional Brownfields programs. Staff will participate in necessary Brownfields conferences and trainings. On all tasks, we will comply with the procurement procedures contained in 40 CFR 31.36.

Task #1: Identify, characterize, and prioritize for assessment specific hazardous waste contaminated and potentially contaminated properties in the target area (river district) as described in section [redacted] of the narrative.

Task #2: Conduct up to ten (10) Phase I and four (4) Phase II environmental assessments on selected properties and coordinate assessment activities with regulatory requirements of the North Carolina Department of Environment and Natural Resources (NCDENR) Brownfields Program as described in section [redacted] of the narrative. This includes the described comprehensive consultant selection process catered to each sites specific needs except where multiple Phase I may be conducted together to achieve described economies of scale.

Task #3: Conduct cleanup planning and design in conjunction with existing redevelopment plans and NCDENR Brownfields Program and assist site owners in executing NC Brownfields Agreements that will lead to redevelopment. This will usually be conducted as part of the same contract for the Phase II Assessments.

Task #4: Utilize community involvement throughout the process by working with community groups, Brownfields Advisory Group and the public. Aggressively solicit audio, video, print and web (www.landofsky.org) media coverage.

BUDGET CATEGORIES	General	1	2	3	5	Total
Personnel (salaries)	\$0	\$0	\$0	\$0	\$0	\$0
Fringe Benefits (30% of salaries)	\$0	\$0	\$0	\$0	\$0	\$0
Travel	\$2,000	\$300	\$300	\$200	\$1,500	\$4,300
Equipment						\$0
Supplies	\$1,150	\$250	\$250	\$500	\$2,250	\$4,400

Contractual	\$25,125	\$23,825	\$100,000	\$14,125	\$23,775	\$186,850
Other (Misc.)	\$600	\$200	\$250	\$250	\$3,150	\$4,450
Total	\$28,875	\$24,575	\$100,800	\$15,075	\$30,675	\$200,000

In-kind= \$150,000: Based on program design, it is estimated that prospective developers chosen to receive assistance for their site will have the amount for assessments capped to ensure available funds for other sites. Therefore selected sites will be offered moneys toward contractual fees incurred and costs in excess of allocated funds will be borne by the PD. This is estimated to equal approximately \$100,000. Additionally, it is estimated that \$50,000 of in-kind salaries and fringe will be incurred by City staff over the three years of the grant's execution.

B. Community Need

The City of Asheville is centrally located in Buncombe County and is served by two interstate highways (I-40 and I-16); it is the largest city in western North Carolina and serves the region for commerce. Due to its location in the mountains, the city's growth is constrained by topography and rivers, requiring the city to carefully manage growth and development to serve a growing population.

Our Region is a popular tourist destination and a major haven for retirees and others that are enchanted by the high quality of life and natural and cultural amenities. The natural capital of our region is constantly threatened by our continuing population growth.

Unfortunately, there is more and more pressure to accommodate development, while rural economic distress and severe loss of high-paying jobs creates more strain. Undeveloped land and farmland is more often developed, while vacant or underutilized urban resources are overlooked. Many of these developed sites are lying unproductive, dilapidated or neglected due to both real and perceived environmental contamination and limited public awareness. The LOSRC Regional Brownfields Initiative (RBI) is the Region' leader in addressing these community needs.

Rapid population growth has caused increased burdens upon communities. In the past several years, our Region's population has increased by 16.8%, with 344,472 people in 2000. This rate is much higher than the overall growth rate of the United States, which was 11.6%. Retirees are a continually growing segment of our population. We currently have 28% of our adults age 55 or older and the 65+ segment is expected to grow to 25% of our population by 2020 (NC Office of State Planning).

Due to the Region's mountainous terrain, large parcels of land suitable for business and industry development are rare and expensive. The Region's latest Comprehensive Economic Development Strategy (CEDS) specifically addresses the need to have industrial sites available, while still

protecting our cultural and historical sites. It mentions that a threat to affordable housing and job growth are the “limited availability of buildable land, high cost of land, [and] high construction costs due to mountainous terrain...” (CEDS). One key strategy of the CEDS is the redevelopment of Brownfields sites.

Over the past thirty years, Region B has seen a drop in manufacturing jobs from 30% to 19%, while the service industry has grown from 20% to 27% and retail from 14% to 19% (U.S. Bureau of Economic Analysis, 1970-1999). The result has been the growth of vacant/underutilized plants and facilities, unemployment and the loss of high-paying manufacturing jobs. The vocational changes can be seen in our Region’s relatively low per capita income and average wage. In 2004, 13.25% of the Region’s population lived in poverty compared to 13.8% in North Carolina (a, 1% difference) and 12.7% for the nation. When looking at the proposed Urban Progress Zone (UBZ) for the City of Asheville, we see over 22% of the entire Census Tract (Number 22.01) Block Groups (2 and 5) are below the poverty level. There are four other UBZ Census Tracts (2, 9, 10, and 14) that include a population of 3,124 and have 26- over 43% of the population below the poverty level. The 2006 average weekly wage for Region B was \$610, relative to \$683 for the state and \$690 for the nation (U.S. Bureau of Labor Statistics and NC Department of Commerce). Region B’s counties were among the top ten in WNC’s county unemployment rankings last year (Advantage West). At the same time, our cost of living—especially our home prices—were high relative to the rest of the country. In 2005, the Housing Cost of Living Index in Asheville was 104.4, whereas the United States’ average was 100 (U.S. Department of Commerce). We also lack affordable housing; the average value of owned homes is \$116,650 in our Region, compared to \$108,300 for the state (LINC).

Asheville’s Sustainable Economic Development (SED) Plan of 2000 notes that two of its city’s “Top Weaknesses” are its “Level of wages and salaries paid locally” and “Availability of quality jobs”. We need higher-paying jobs in urban areas where infrastructure and suitable sites are currently underutilized.

Our economy depends on the natural and cultural assets that evoke our “sense of place,” which entices people and businesses to come here. We cannot afford to continue to consume open space with inefficient, sprawling development patterns. As our Region attracts more and more growth and development, maintaining our sense of place becomes both more crucial and exceedingly difficult. In 2000, tourism provided almost 10% of the Region’s jobs. It brings in annual revenues of close to \$700 million (NC Department of Commerce). People come from all over the world to experience the fall foliage, the rolling hills, rivers, trails, historic sites, arts, cultural activities and dynamic downtowns. **Preserving undeveloped land and historic and cultural sites through Brownfields redevelopment aids in preserving the city’s strong tourist economy.**

One of our city’s areas of greatest potential for Brownfields (BF) cleanup and redevelopment is the French Broad and Swannanoa Riverfront areas. This area, adjacent to downtown Asheville, was a vibrant Riverfront area in the last 1800’s and early 1900’s and was the industrial hub of the region. In 1916 a devastating flood halted the Riverfront’s development. During that same time,

the community began expanding away from the river due to the advent of the automobile. The river soon became a dumping ground which led to many residents and businesses abandoning factories and homes. **This area contains the lowest income Census tracts in Asheville and is part of a state-designated Urban Progress Zone, which has tax and other financial incentives available to new or expanding businesses that invest and create jobs in the area.** The Riverfront District is one of the Target Areas of this proposal and is one of the four focus areas of the City of Asheville's SED Plan of 2000. The plan stresses the importance of "Revitalizing this unique feature of the City's physical environment as an asset for both enhancing the quality of life and attracting economic activity." Many of the Asheville populous are looking to regional leaders to develop this valuable, yet underutilized, area of the region's largest city.

Floods created by two consecutive hurricanes in the fall of 2004 created severe damage throughout western North Carolina. Over 200 businesses in Asheville alone suffered damage as a result of this flooding.

The City's River Redevelopment Plans identify strategies by which this district can become an attractive and safe place in which to live, work and play.

Within Asheville's Riverfront District, an area with a concentration of Brownfields, there are over 20 underutilized properties. Numerous properties are listed on the state's Inactive Hazardous Sites Inventory.

The negative environmental impacts from NOT developing Brownfields sites, and consuming undeveloped land, are many. Many properties remain abandoned or underutilized due to the availability of relatively cheap farmland and forested land on the edges of the urban areas. Total acreage of farmland in our Region decreased by 19% from 1987 to 1997. Since 1950, the Asheville MSA's urban land area has increased 4.8 times as fast as the population—illustrating its sprawling development—while it's centrally-located River District remains underutilized. The resulting loss of farmland, forests, and other green space negatively impacts the Region's food self-sufficiency, ecosystem integrity, ecosystem services such as water supply, aesthetics, and outdoor recreation and tourism potential.

One example of the negative economic impacts of Brownfields is the adjacent community of the Asheville River District. Two Census Tracts in the City of Asheville's proposed Urban Progress Zone have the highest poverty rates (43.06% and 40.53%) out of a Tract population of 1,593 and 2,914 respectively.

Sprawling development, as evidenced by the above indicators and impacts, has caused additional environmental impacts. Vehicle miles traveled per capita has greatly increased, contributing to increased vehicle-emitted air pollution. Air quality in the Region has been steadily decreasing, leading to potential ground-level ozone non-attainment status for the Asheville area. Water quality has also been declining, in large part due to storm water runoff from increasing impervious

surface areas. According to the local water quality monitoring effort, the percentage of streams rated “good or excellent” has declined in recent years.

C. Site Selection Process:

1. **This is a Community Wide Assessment grant application. Up to 10 hazardous substance sites will be selected** to receive funding assistance for Phase I work and up to 4 sites will receive additional Phase II assistance from this Assessment Grant, through an established and EPA-approved application, work group review, and Advisory Group approval process. The actual number of sites selected will be determined by evaluating the financial needs of the highest priority sites.

The City will contract with the Land-of-Sky Regional Council Regional Brownfields Initiative (RBI) to provide direction on site selection. The site selection process is an integral part of the RBI organizational structure. (see attached RBI Organizational Structure Chart). The Site Selection Criteria (below) were developed by consulting with EPA staff, NCDENR staff; successful brownfield programs in other areas and applying this knowledge to the region and its needs. RBI criteria were developed and prioritized to **maximize the potential for successful projects**, realizing that each redevelopment project will catalyze more cleanup and redevelopment projects. They have used these criteria to select the 17 sites now in the program.

Sites are selected on a competitive basis based on site selection criteria (below). Sites receive higher priority if a redevelopment plan exists or is underway and the owner/developer is eager to redevelop the site. The RBI is also very interested in helping sites that are key to downtown or neighborhood revitalization efforts.

The **threshold criteria** that must be met for a site to be considered are:

- * Site meets EPA qualifications as a Brownfield;
- * Site owner is willing and able; and
- * End use is identified and consistent with adopted plans and/or zoning.

Sites that pass the threshold criteria are competitively compared using the following **ranking criteria**. These criteria are listed in priority order:

- * Developer is willing and able;
- * Redevelopment plan appears to be feasible (e.g., developer has financial capacity and ability, funding sources identified);
- * Nature and amount of economic impact (jobs created, tax base increase, quality of life, etc.);
- * Site redevelopment is part of a larger plan;
- * Location within city/town, county and region;
- * Historical and/or architectural value;
- * Infrastructure available that matches end use;
- * Environmental impact of redevelopment (green space, green building, clean-up, etc.);
- * Some environmental assessment has been done;

- * Environmental justice issues/impacts;
- * Site has insurance.

Property owners interested in receiving financial assistance from the RBI complete a Site Identification Form (attached), and provide the Site Selection Work Group with detailed information about the site's history and needs. The Site Selection Work Group evaluates and prioritizes sites based on the Site Selection Criteria, and holds follow-up interviews to gain a better understanding of an owner/developer's sense of urgency and commitment to the success of the project. Staff provide site information to NC DENR staff and EPA staff, for their review and to ensure the sites are eligible for EPA funding and for the State program assistance. The Site Selection Work Group then recommends specific sites to the Brownfields Advisory Group for review and adoption into the RBI. Applicants who are not approved for financial assistance may receive technical assistance for needs such as helping to negotiate a Brownfields Agreement with NCDENR or securing other funding resources.

The Outreach and Marketing Work Group performs numerous regional public outreach activities including public meetings, press releases, regional newsletters and other media. These activities familiarize the public with the RBI and brownfields issues in general, and alert the public to the technical and financial opportunities offered through the RBI.

A key principle of our RBI is the requirement that no site is selected without a willing developer coming forward. In developing the design of the current program, our Advisory Group rejected the "Build it and they will come" model in favor of the developer required model. The latter model avoids wasting EPA Assessment Grant funds waiting for a developer to materialize. We will continue this model in this grant.

2. The RBI has an existing Brownfields Inventory which will be expanded as potential site partners make inquiry and/or apply to the RBI for assistance from this grant. This inventory consists of sites whose owners have submitted a Site Identification Form, plus sites that have come to the RBI's awareness through public input. Official applicants using the form are contacted, and the word-of-mouth inventory is retained on file for possible future investigation. The inventory contains over 50 sites, and we anticipate at least 50 more will be added to the inventory during the course of this grant.

3. The RBI anticipates conducting assessment activities on public and privately owned sites. Based on the RBI experience with current site partners receiving assessments through the RBI's EPA funding, few if any site access issues are anticipated. Since the RBI is a voluntary program, property owners have been amenable to granting access on an as-needed basis. The Memorandum of Understanding between the City and the property owner has required access agreement language and this is sufficient to ensure access.

D. Sustainable Reuse of Brownfields:

This grant will support all the goals described below through the use and expansion of existing programs, plans and policies previously developed and highly successful. The Regional Brownfields Initiative (RBI) **has an EPA approved Quality Assurance Management Plan.**

Furthermore, Land-of-Sky Regional Council, recognized by **EDA** as representing the City and the region's Economic Development District, has just adopted its next **Comprehensive Economic Development Strategy (CEDS) which guides efforts from 2007-2012. CEDS listed Brownfields redevelopment as one of only four top initiatives for the next five years.** The other initiatives adopted were 1) Regional Growth Management (including water quality and quantity), 2) Transportation and Air Quality (including congestion relief), and 3) Housing (including density, mixed use, affordability). The CEDS is an innovative strategic regional plan that integrates economic development plans, **revitalization of Brownfields**, smart growth, green building, industrial ecology and reuse of infrastructure.

The CEDS specifically identifies Brownfields redevelopment as a key strategy in creating higher-paying jobs, utilizing existing infrastructure, protecting our natural and cultural assets, reducing urban sprawl, and ensuring sustainable development. Both of these documents formally and successfully guide and support this section of the grant proposal.

The RBI also coordinates with other local and regional planning efforts, such as regional ecosystem restoration, public health, economic development and transit-related efforts. **State and national strategies to promote sustainable communities, reduce greenhouse emissions, and foster leadership in sustainable development** are also considered when evaluating and assisting with the proposed reuse of a brownfield. Regarding specific goals listed in the grant guidelines:

1. The RBI has a number of measures in place to ensure a site's end use **leads to environmental improvements through reductions in pollution and resource consumption.** For example, a previously adopted RBI BF site has been working to develop an eco-industrial plant to "mine" both a coal ash and sludge landfill and use up to 500,000 tons per year of the wastes in four new product lines, including a lightweight aggregate stone to be used in building materials. This site also has over 2 million square feet of building space, a power plant, a water treatment plant, a medical facility, and numerous other infrastructure amenities that are being considered for reuse by the prospective developer now negotiating on purchasing this 500+ acre site with a rail spur being considered for rails to trails.

The City, through the RBI, will continue to **prevent the creation of future brownfields on clean sites through extensive public outreach and targeted educational efforts** (see Community Involvement section). These outreach efforts emphasize the need to prevent future brownfields by illustrating the costs (economic, social and environmental) of brownfields to the region and community, including operating facilities. The RBI communicates - to an established and extensive "Peer Group" network of businesses, development officials, realtors, bankers, etc., as well as to the general public the importance of keeping properties vital and fully utilized without creating contamination while demonstrating the costs associated with contaminated, vacant and idle properties.

Additionally, we will prevent creation of "future brownfields on brownfields" by **selecting projects with viable and environmentally sound business plans**. A project's proposed end use is considered to ensure an environmental hazard is not created. Deed restrictions and other land use controls are included in the Brownfields Agreement negotiated with the NC DENR Brownfield's Program to reduce the possibility of future contamination of a BF site.

All Brownfield sites in the RBI will continue to be evaluated with respect to **reuse of existing infrastructure**. Sites with power, water/sewer, proximity to roads, access to broadband and other "high tech" amenities are **given strong consideration** during evaluation. Pedestrian-friendly infrastructure, access to public transportation and close proximity to green spaces for recreation are also important criteria for selection and project redevelopment enhancement.

To aid this effort, the RBI maintains **strong partnerships** with the local power **utility company**, Progress Energy, other utilities and the City's **public works department**. The City offers a variety of economic development incentives to developers including Industrial Development Grants, Business Development Grants, an infrastructure development program and the affordable housing trust fund program.

The RBI considers **stormwater impacts and options for stormwater management** when revitalizing brownfields. Experienced water quality staff are available to assist local governments to comply with state-mandated and EPA Phase 2 stormwater regulations to control stormwater pollution.

The RBI works with partners to seek and adopt sites that are **consistent with local smart growth strategies, include green building guidelines and have access to transportation options**. Brownfields Agreements secured with NCDENR will include **appropriate land use restrictions and control measures** to ensure compliance with environmental improvements.

One recently completed River District project is exemplary of the all of the above concepts. A "green" developer has just finished re-developing a mica minerals

processing plant into condominiums in a downtown flood plain on a rail and bus line. The project reused over 60% of its deconstructed materials in the new high efficiency building project and incorporated a green roof, native plantings, a river protection buffer, first floor parking – second floor living, flood sinks, and more. This was all done while preserving the major structures and look of the 100 year-old facility. All of these green units were under sales contracts before the build-out was completed.

2. This grant will dramatically **promote economic benefits** for the City. Previous assessment grants have led to the adoption of 6 River District BF sites leveraging hundreds of millions of dollars in expected economic impact. The redevelopment of a former landfill site in the Town of Woodfin has removed \$160,000 in debt service and lease payments” and “will add an expected **\$295 million** to the **tax base**, add **300-500** mid-priced **homes**, **attract almost \$200 million in new private capital**, and **approximately 2,500 new jobs.**” The potential for the creation of jobs, anticipated capital investment and effect on the local tax base are all established evaluation criteria for site selection.

Two additional sites in the River District, the Asheville Waste Paper site and the former Day Warehousing site will be revitalized as mixed use developments. The Day site’s developer estimates an investment of over \$5.2 million in the redevelopment of this site.

The RBI will continue to sustain an **ongoing partnership** of the region’s economic developers, planners, lenders, public officials, non-profits, attorneys, local consultants and community members **to ensure communities’ economic needs are met and the community tax base is expanded.**

3. As a fundamental aspect of this program, Brownfield projects adopted by the RBI **promote a vibrant community.** The evaluation criteria **prioritize projects that are part of a community development plan** with comprehensive visions and are considered critical anchor projects in their communities. For example, the RBI began working with RiverLink to redevelop an abandoned Cotton Mill in the Asheville River District. This project is part of a much larger comprehensive river revitalization effort that includes river parks, greenways and mixed use development. **Since that project’s adoption and successes, three more sites in that community have joined the BF program.** Projects like these are given priority due to their ability to realize a community’s vision to transform an entire area and people’s quality of life.

Additionally, the RBI’s Site Selection Criteria consider projects that invest in a **cultural or historical community asset.** For example, the Old Mill Cultural Center is a project of a previous BF Pilot Grant that will redevelop an old hosiery mill listed on the **National Register of Historic Places** into a **cultural arts and music center** for the City of Hendersonville. The RBI will continue to assist in revitalization of historic properties that enhance the community.

Furthermore, the RBI gives special consideration to a proposed brownfield redevelopment in an **urban area** or **town center**. This grant will be a catalyst for infill development, reducing dependence on automobile travel; thus improving the region's air quality (Region B's air quality is close to non-attainment of ground-level ozone standards). Example: Another adopted BF site is considering creating light rail transportation as a component of the redevelopment plan.

The RBI also strives to adopt sites that offer **socioeconomic benefits such as affordable housing and cultural enhancement**. For example, in a current adopted project, citizens created a revitalization plan to convert an abandoned facility into a new town center with a town hall, library, business center, park and to housing units.

E. Creation and/or Preservation of Greenspace/Open Space or Nonprofit

Purpose: This grant will dramatically facilitate both the creation of and preservation of greenspace. On a regional basis, the Community Economic Development Strategy (CEDS), adopted by the LOS Board and local governments, calls for **development of a regional open space or "green infrastructure" plan** to serve as the basis for guiding development and land use in the region. It lists a number of relevant "Primary Strategies" like "Improve utilization of existing industrial sites," "Encourage efficient use of our land resources and infrastructure," and "Design waste and pollution out of our region." It specifically names Brownfields redevelopment as an "Action Plan" to help fulfill these strategies. Continued BF inventory and assessment are critical to the redevelopment effort.

When considering a site for adoption into its national award-winning **Regional BF Initiative (RBI)** and to receive a needed portion of this grant, **preserving and creating green space will continue to be a policy priority in the site selection process**. A few of the adopted **site selection criteria** are specifically related to creating/preserving green space: (1) an end use consistent with adopted plans; (2) the economic impact, including enhancing quality of life; and (3) the environmental impacts, specifically considering green space creation or preservation.

The biggest impact will be employing smart growth practices when redeveloping underutilized sites into productive uses, thereby preserving greenspace in the urban fringe and rural areas. Based on press releases from EPA (EPA website), redevelopment of our **17 currently adopted BF sites, totaling acres, should preserve approximately acres of existing green space** from development. Using an average acreage per site, we expect **this assessment grant to adopt at least 4 new sites and protect another 1,077 acres**.

The much underutilized and largely abandoned River District in Asheville has a **comprehensive development plan that integrates park and greenway development and cleaning up blighted areas with redevelopment** strategies that includes artists' studios, offices, residential units, as well as wholesale, retail and light industrial businesses. The entire area is connected with parks and greenways along the river.

In order to assure long-term management, care and preservation of greenspace associated with Brownfields, **all adopted sites are required to enter the NC-DENR BF Program** which works with our program and the prospective developer to create a binding Brownfields Agreement which carries with the land and utilizes appropriate land-use restrictions and other tools to ensure compliance with redevelopment plans and appropriate greenspace obligations.

F. Pre-Award Community Notification

1. The targeted community was notified of the preparation and submittal of this proposal through print, radio, television, and electronic media. The City of Asheville approved the submission of this grant application at its August 14, 2007 City Council meeting. Notifications were also sent to the Regional Brownfields Initiative (RBI) Advisory Group and Peer Group, comprised of 150+ stakeholders in the RBI.

A press release sent to the region's media on September 9, 2007, notified the general public of the grant submission, the basic grant activities, invited public review and comment from September 21 – October 10, 2007 via an online copy of the grant application on the City and LOSRC website, and welcomed public attendance to an open meeting held Monday, October 1 at 5:30 p.m. (see attached press release). Public comment was invited via email, phone, or during the public meeting. LOSRC staff will respond to comments via email (online comments) or via face-to-face communication (during public meeting).

2. These notification methods are the most appropriate way to reach our target community because they are both widespread and targeted at specific community members who have a greater stake in the project. By using radio, newspaper, television and online media to notify the general public of the application, its activities and its availability for review, we reach rural and urban citizens with a diverse media diet. Citizens who do not have access to a computer may hear of the plans via radio or newspaper. To reach our Hispanic-speaking population, the both websites are available in Spanish.
3. We proposed a two-and-a-half week public comment period. During this period, the public was invited to comment via a press release that was submitted to radio, newspaper, and television news channels. The application was posted on the www.landofsky.org home page. We encouraged the public to call the LOSRC offices, submit emails or share their comments in person at the public meeting held October 1. We held the public meeting after business

hours and offered multiple ways the public could comment to encourage participation.

4. We plan to address the comments we receive by meeting together as the LOSRC Brownfields Team on October 10. We will discuss the comments received and revise the grant application if necessary. We will send a notice to everyone who commented and respond on how we addressed their concerns in the application.

G. Ongoing Community Involvement (a maximum of 16 points may be received for this criterion)

LOSRC recognizes that EPA requires/encourages community involvement.

1. The Land-of-Sky Regional Brownfields Initiative (RBI) has an extensive, NADO award-winning strategy to involve the local community and stakeholders in all aspects of Brownfields redevelopment, including cleanup and reuse planning. The Brownfield Advisory Group governing the RBI consists of economic developers, environmental planners, local and elected officials, civic groups, environmental attorneys, business groups and more. This massive direct participation ensures both widespread ownership and success at all levels of the program.

The affected community will be involved primarily through the efforts of the RBI's Outreach and Marketing Workgroup (see Organizational Structure attached). This workgroup performs a variety of outreach and involvement tasks throughout Region B and utilizes numerous outreach tools including: an RBI brochure used to familiarize the public with Brownfields issues and the RBI's Assessment program; updates to the Regional Brownfields Advisory Group and Peer Group; Brownfields presentations geared to specific audiences; RBI web pages on www.landofsky.org; Land-of-Sky Regional Council's (LOSRC) monthly Board meetings; County/Municipality Board meetings; community group meetings such as AdvantageWest, Chambers of Commerce, Western North Carolina Alliance; public meetings for specific Brownfields sites/topics such as a special success story; and statewide Brownfields networking meetings. Outreach events are advertised through print, radio, government cable television channels, and web media in the form of press releases or flyers. Flyers are also distributed at local town halls or county courthouses. These avenues of communication are highly effective in soliciting community input and accurately reflect the community's cleanup concerns and reuse wishes.

The RBI has already conducted community outreach activities prior to this grant proposal's submission. In addition to reaching out to existing partners on the Regional Brownfields Initiative Advisory Group and "Peer Group," the RBI

contacted numerous community organizations (please refer to Community Organizations/Supporting Partners list attached) to discuss the grant application and the impact a Brownfields Grant would make in our region. In a press release to all regional media, the RBI announced the submittal of this grant application on behalf of the City to EPA and invited the public to a formal Grant Input Session at the LOSRC offices on October 1, 2007. Please refer to Section F. "Pre-award Notification" for further details on community involvement prior to application submittal.

Should the RBI receive an EPA Brownfields Assessment Grant, community involvement activities will build on the successes of past EPA Brownfields Assessment Grant outreach efforts. One highly effective public involvement measure we will employ is to engage youth to create an appealing public relations event that receives good press coverage. For example, the Town of Woodfin Elementary School students made a field trip to the Northwoods Community Brownfields Project, an adopted site in the RBI, to observe an environmental assessment underway. While environmental consultants explained why soil and groundwater tests were being conducted at the site, both a regional news station and newspaper were on the scene to capture the story. The Town Manager and Mayor also appeared to comment on the Brownfields Project and the kind of benefits its redevelopment will offer to the community. We plan to continue on this successful path by conducting outreach activities that are especially well-suited to good public relations and press coverage like youth-oriented outreach activities with school students, Girl Scouts, and other youth organizations.

The RBI involves the community in site selection and provides extensive public education as a part of our community involvement plan. Based on our experience with two previous EPA Assessment Grants, we have determined that **successful community outreach begins with soliciting community input on potential sites that will receive financial and technical assistance from this grant.** Through the RBI's diverse representation, requests for sites are effectively dispersed throughout the region.

The RBI's community involvement goals are: educate the public about Brownfields issues, inform them about the kinds of assessment activities to expect at the site, offer the community an opportunity to discuss their concerns, provide a system for community members to provide input and serve as a point of contact for questions and concerns. Other topics will include general environmental and land use planning issues. Most importantly, we will instill a sense of security among the public and engender support for the Brownfields efforts by relieving fears and concerns regarding environmental contamination.

2. Over the past three years the Regional Brownfields Initiative (RBI) has forged a substantial number of regional, state, and federal partnerships that are essential to addressing Brownfields in our region (see Supporting Partners

(attached) and Part 4 below). Partnerships with local economic development, environmental, and regional planning organizations are facilitated through the Regional Brownfields Advisory Group (see BAG member list attached). Our key partner will remain the **NC DENR Brownfields Program. NC DENR has stationed a Brownfields Project Manager at the LOSRC offices to work with the RBI (see NC DENR letter attached).** This EPA Brownfields Assessment Grant will supply the necessary funding to continue this successful partnership in Brownfields redevelopment.

The RBI will continue to ensure appropriate cleanup and redevelopment of Brownfields by continuing to expand its networks and community contacts. We will attend local meetings, workshops, conferences, and other community events to discuss the RBI program with community members. Since the RBI works with the NC Brownfields Program to assist property owners in obtaining a Brownfields Agreement, **staff from the state Brownfields Program will be invited to participate in all public input sessions, ensuring appropriate cleanup measures are taken.**

3. Describe your specific plans for communicating the progress of your project(s) to citizens, including plans for communicating in languages indigenous to the community or other efforts to reach the targeted community as well as the broader community.

3. The RBI will communicate the progress of our projects through numerous measures similar to those discussed above in #1 of this section. **The RBI's Outreach and Marketing Work Group will notify the general public of significant milestones such as on-site assessment activities, securing Brownfields Agreements, groundbreakings, or acquiring new funding.** Progress will be communicated through email to all RBI partners, press releases, special community events, news stories in local radio, television, and print media. A sign will be established at adopted sites which will indicate the name of the project, its involvement with the RBI, and its stage of the assessment process.

Latinos are our largest minority population, with 11,174 people (2000 Census), comprising about 3.5% of our region's total population. LOSRC's webpage is available in Spanish, and translation into Spanish is available upon request for all our website content. Other specialized communication will include the **use of translators (accessed through local Literacy Councils) to reach the English-as-Second-Language population that may be affected.** We will also work with International Link, a local non-profit that assists new immigrants from various countries, to help disseminate information on Brownfields issues, sites and opportunities for public input.

4. The community groups below are a **small subset** of the entire list of RBI partners. **Please see the complete list of our partners, "Land-of-Sky**

Regional Brownfields Initiative Supporting Partners/Community Organizations" (attached). Although our full list of partners includes local governments, state agencies, local citizen groups, environmental organizations, banks, local business groups, realtors and developers, this list focuses on community-based organizations.

Community Organizations	Contact	Phone	Description
Asheville Area Chamber of Commerce	Adam Cooper	828-258-6122	Promotes business/industrial growth
Asheville Commercial/Industrial Realtor's Association	George Morosani	828-274-4111	Works with local commercial/industrial property owners for new development opportunities
Mars Hill College	Granger Caudle	828-689-1127	Grassroots network with Madison County population, Mars Hill College community.
RiverLink	Karen Cragnolin	828-252-8474	Non-profit, designed redevelopment plan for Asheville's River District

H . Reduction of Threats to Human Health and the Environment:

1. Assessment Grant funds **will facilitate the identification and reduction of threats to human health and the environment within the target area.** Threats associated with exposure to hazardous substances will be reduced by working with local health and hazardous waste officials, conducting effective community education, limiting exposure to the sites, and providing funds to assist with environmental assessments.

One of the goals of our community education and outreach efforts is to inform the public of potential health risks at contaminated sites. We will conduct outreach throughout the entire project and additionally target education and outreach to specific site needs as each site is assessed and monitored. Our outreach activities will result in an informed population that understands the environmental issues and risks associated with contaminated sites, thereby minimizing their exposure to a property's contamination.

The redevelopment of the Heart of Fletcher site to a standard that is **safe for humans and the environment** is ensured through the Phase II assessments performed under the supervision of a qualified environmental professional (**QEP**) and assured through the Quality Assurance Project Plan (**QAPP**), approved by EPA. A detailed workplan for the site identified areas of potential soil contamination through the presence of dioxide and PCPs. Based on confirmation sampling after soil removal, the site was deemed safe for redevelopment and **institutional controls** set.

If assessment activities conducted with these grant funds demonstrate the need to monitor public health threats, we will assist local governments in monitoring community health in areas affected by contaminated sites. Several sites assisted with previous grant funds have **monitoring wells** in place and annual certification of land use controls are certified by the developer and submitted to NCDENR.

2. LOSRC has **an established relationship with the North Carolina Department of Environment and Natural Resources (NCDENR) to ensure the redevelopment process protects public health** (see DENR Letter of Acknowledgement). A NCDENR Brownfields Program employee serves on the Brownfields Advisory Group and has an office at LOSRC dedicated to the RBI. The NCDENR Brownfields Program works with sites adopted into the RBI and negotiates Brownfields Agreements. These agreements between the State and a property owner ensure contamination is remediated to meet environmental and public health standards. LOSRC has longstanding relationships with local public health and hazardous waste officials, some of whom serve on the Brownfields Advisory Group (see BAG membership list).

The LOSRC maintains **an EPA-approved Quality Assurance Management Plan (QAMP)** that documents procedures to ensure public and environmental health is protected. The QAMP directs consultants to submit Quality Assurance Project Plans and Environmental Health and Safety Plans to EPA and DENR prior to beginning any assessment activities. Public and environmental health will be protected through the oversight of these state and federal agencies.

LOSRC has established **a working relationship with the Public Health Departments in our region**. The environmental health professionals have **procedures in place to work with LOSRC to address any hazardous substances identified during assessment which would present a clear and community**.

I. Leveraging of Additional Resources:

1. At this time no specific sites have been identified for funding assistance from this Assessment Grant. Available funds will be allocated equally to at least four new sites adopted into the Land of Sky Regional Brownfields Initiative (RBI). Assessment funds allocated to a site which are not expended may be used for new sites as they are adopted. From 2003 to date, **seventeen (17)** sites have been assisted using an **EPA Pilot Assessment Grant**, and **2004** and **2006 EPA Assessment Grant** funds. Under a Memorandum of Understanding (MOU) with the RBI, the developer agrees to pay for assessment costs which are incurred in excess to funds provided by the RBI. Additionally, sites are adopted into the RBI with the goal of obtaining a Brownfields Agreement (BFA), or “no further action” through the state of North Carolina Brownfields Program, administered by the Department of Natural & Environmental Resources (NCENR).

LOSRC has received a **Revolving Loan Fund Grant** that will assist with funding needs for cleanup activities, helping move projects to redevelopment faster. LOSRC prepared **BF Cleanup Grant** applications which were awarded to two of our sites. The Town of Fletcher, NC assisted with RBI funds; the Town has contributed **\$44,000** in assessment funds and **\$ 206,553** in cleanup costs. A second site cleanup costs are in excess of \$600,000. In addition to the **\$200,000 Cleanup Grant**, this site will require the use of our **Revolving Loan Funds** for **cleanup and monitoring** of the site to further the development. Construction costs for redevelopment will be in excess of **\$1 Million** for roads, utility improvements and infrastructure upgrades. A multi-staged housing development is expected to cost **in excess of \$50 million dollars**. We will work with the developer to help find "gap financing." One site recently adopted by the RBI is expected to be redeveloped at a cost in excess of **\$5.2 million**.

Sites under consideration for official adoption into the RBI are evaluated on their ability and likelihood to leverage additional needed resources. LOSRC has provided **\$329,000 to sixteen sites for assessments**; Developers have funded in excess of **\$132,051** for assessment work. In the event cleanup funds are needed, we will assist in the preparation of a cleanup grant application or offer revolving loan funds.

2. Additional resources, both cash and in-kind are dedicated to this project by our organization. However, as a Regional Council of Governments, Land-of-Sky Regional Council and its Regional Brownfields Initiative has no general revenue fund or taxing authority. Nonetheless, the 19 local governments pay annual dues to help sustain some overhead and administrative costs. The Council will work with our local governments and internal budgets to commit to pay the organization's Indirect Cost Rate that currently equals 64% of salaries obligated to the project. We continue to encourage the local governments to set aside funds for brownfields assessments, cleanup and redevelopment in their respective jurisdictions, and to investigate innovative funding options such as **Tax Incremental Financing**.

LOSRC Regional Brownfields Initiative has received substantial media coverage due to its successes in the first three years of existence- so much so that we have established relationships with **national Brownfields developers** and local lenders. Additionally, assessment firms which have **redevelopment subsidiaries** or partners have expressed interest in the redevelopment of the sites in the RBI. These potential partners would bring funding resources to the projects.

Substantial additional funds, both real and in-kind are dedicated to this project by other organizations to fulfill remaining funding gaps. Substantial resources are committed to this program through the RBI's Advisory Committee, the Peer Group and the five task-focused Work Groups (Community Outreach & Education, Site Identification & Selection, Consultant Selection & Oversight, Funding, and Industrial Sites), Consultants, commissioners, economic developers, executive directors, bank presidents, planners, and numerous other professionals and executives donate thousands of volunteer hours to the

program. With numerous brownfields redevelopment opportunities in our region leveraging can be expected to continue for many years. Demographic data supplied in Section B (Community Need) accompanied by the CEDS and other economic development plans (also outlined in Section B) also support this conclusion.

We will also continue to pursue additional funds from existing RBI partners and stakeholders such as AdvantageWest, EDA, the Appalachian Regional Commission and the NC Rural Economic Development Center.

J. Programmatic Capability:

1. **Land-of-Sky Regional Council (LOSRC) has the ability to manage this grant.** We have successfully managed or are currently managing five (5) EPA BF grants and other related and leveraged grants. LOSRC staff are highly experienced grant managers. During the past five years, **LOSRC has raised and managed over \$12 million in grants** for the region. LOSRC currently has **over 100 active grants**, including federal, state and foundation grants from EPA, EDA, USDA Rural Utilities Service, US Forest Service, NC DENR, NC Clean Water Management Trust Fund, Community Foundation of Western North Carolina, USDA Rural Development, Carolina Power & Light, ARC, Z. Smith Reynolds Foundation, Economic Development Technical Assistance Program and the Western North Carolina Housing Partnership. LOSRC regularly administers state and local grant funds (mostly NC Small Cities CDBG Programs) for member governments on a contractual basis.

2. Land-of-Sky Regional Council maintains an exemplary record of federal grant management. There have been **no adverse audit findings** from either an OMB Circular A-133 audit or the US GAO. **LOSRC is not, nor has it previously been, required to comply with special “high risk” terms and conditions** under agency regulations implementing OMB Circular A-102. In fact, our audit report ranks us in the “low risk” category. **During FY 2004-05**, sixty-three percent (**63%**) of LOSRC revenue was derived from federal grants, either directly or as “pass-through” funding. During this year alone, federal grant funds in the amount of **\$4,924,450** have been awarded and managed by LOSRC.

3. & 4. The **FY 2002, \$200,000 EPA Brownfields Assessment Demonstration Pilot** has been closed out. LOSRC has fulfilled all contractual agreements and met EPA expectations regarding its quarterly progress reports, Brownfields reporting, and annual financial status reporting. LOSRC assessed five (5) properties using pilot grant funding.

The **FY 2004, \$400,000 Assessment grant** balance is \$304,000 as of Sept. 30, 2005. At this time, seven (7) properties are currently under assessment and the program is in full compliance with quarterly progress reports, brownfields reporting measures, and annual financial status reporting.

The balance of the **2004 Revolving Loan Fund grant** is \$960,746. The program is in full compliance with quarterly progress reports, brownfields reporting measures, and annual financial status reporting. EPA-approved loan guidelines are developed, a Loan Review Board is established, and LOSRC expects to make one loan shortly.

LOSRC is managing **two (2) BF Cleanup grants** for sites assessed under pilot grant funds. Both grants were awarded in FY 2004. LOSRC has fulfilled all contractual agreements and met EPA expectations regarding its quarterly progress reports, Brownfields reporting, and annual financial status reporting for all grants awarded.

5. LOSRC has been a recipient of EPA BF cooperative agreements. Through the use of these funds, LOSRC staff have achieved a number of significant accomplishments. **The greatest highlight is the development of a highly successful regional model to identify, characterize, prioritize and process BF sites for assessment and redevelopment called the Regional Brownfields Initiative (RBI).** The RBI has received numerous accolades and has enjoyed much national and local media coverage.

The National Association of Development Organizations (NADO) **awarded the RBI with a NADO 2003 Innovations Award for this RBI model.** The RBI model has been presented at the last two (2) National BF Conferences, Congressional Staff meeting in Washington, DC, the SE Conference of the Executive Directors of County Commissioners, and regional BF workshops in Georgia, Alabama, North Carolina, and more.

In less than five (5) short years, the RBI has engaged strong and broad community-level support and is steered by a group of regional stakeholders (Regional Brownfields Advisory Group) to ensure regional needs are met.

Five sites were assessed using pilot funds. Two of these sites were also awarded cleanup grants and are moving toward redevelopment. A Brownfields Agreement (BFA) with NCDENR has been negotiated for these two (2) sites. Three more agreements are pending.

The LOSRC Brownfields Project Manager has been asked by the National Association of Local Government Environmental Professionals (NALGEP) to serve on the NALGEP National Advisory Council of the Brownfields Communities Network.

With assistance from EPA and numerous partners, LOSRC has created a long-term regional model to address Brownfields. The RBI has the momentum to continue to address Brownfields in Western North Carolina's Appalachian Mountains. Without assistance from EPA, the only Brownfields redevelopment initiative in western North Carolina is likely to

decrease its pace and successes dramatically. It is through the RBI-NCDENR-EPA partnership that strong results and a solid return on investment will continue to be delivered.

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